

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

1:21-cv-8298 (NLH)

TERRELL FORTH,

MEMORANDUM OPINION & ORDER

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

APPEARANCES:

Terrell Forth
01279267
Atlantic County Justice Facility
5060 Atlantic Avenue
Mays Landing, NJ 08330

Petitioner pro se

Rachael A. Honig, Acting United States Attorney
Diana V. Carrig, Assistant United States Attorney
U.S. Attorney's Office
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4th Floor
P.O. Box 2098
Camden, NJ 08101

Attorneys for Respondent

HILLMAN, District Judge

WHEREAS, Petitioner filed a motion to correct, vacate, or set aside his federal sentence under 28 U.S.C. § 2255, see ECF No. 1; and

WHEREAS, the Court issued an Order to Show Cause to the

United States based on its failure to file an answer by August 23, 2021, ECF No. 7; and

WHEREAS, Petitioner filed a letter asking the Court to terminate his supervised release due to the United States' failure to respond to the Order to Show Cause, ECF No. 9; and

WHEREAS, the United States complied with the Order to Show Cause on October 5, 2021 by submitting its answer and asking the Court to dismiss the § 2255 motion as time barred, ECF No. 8; and

WHEREAS, it appears Petitioner had not received the United States' filing at the time he mailed the letter to the Court. As the United States has filed a response to the Order to Show Cause, Petitioner's request for relief based on an alleged failure to respond shall be denied; and

WHEREAS, the Court shall grant Petitioner additional time to file his reply,

THEREFORE, IT IS on this 7th day of October, 2021 ORDERED that Petitioner's request for relief based on an alleged failure to respond, ECF No. 9, shall be, and hereby is, denied; and it is further

ORDERED that Petitioner shall have thirty (30) days from the date of this Order to file a reply; and it is finally

ORDERED that the Clerk shall send a copy of this Order to Petitioner by regular mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.